

Florida Avenue Park

City Council Meeting

Item 7a: Modifications to the Florida Avenue Park Master Plan

Tuesday, September 24, 2019

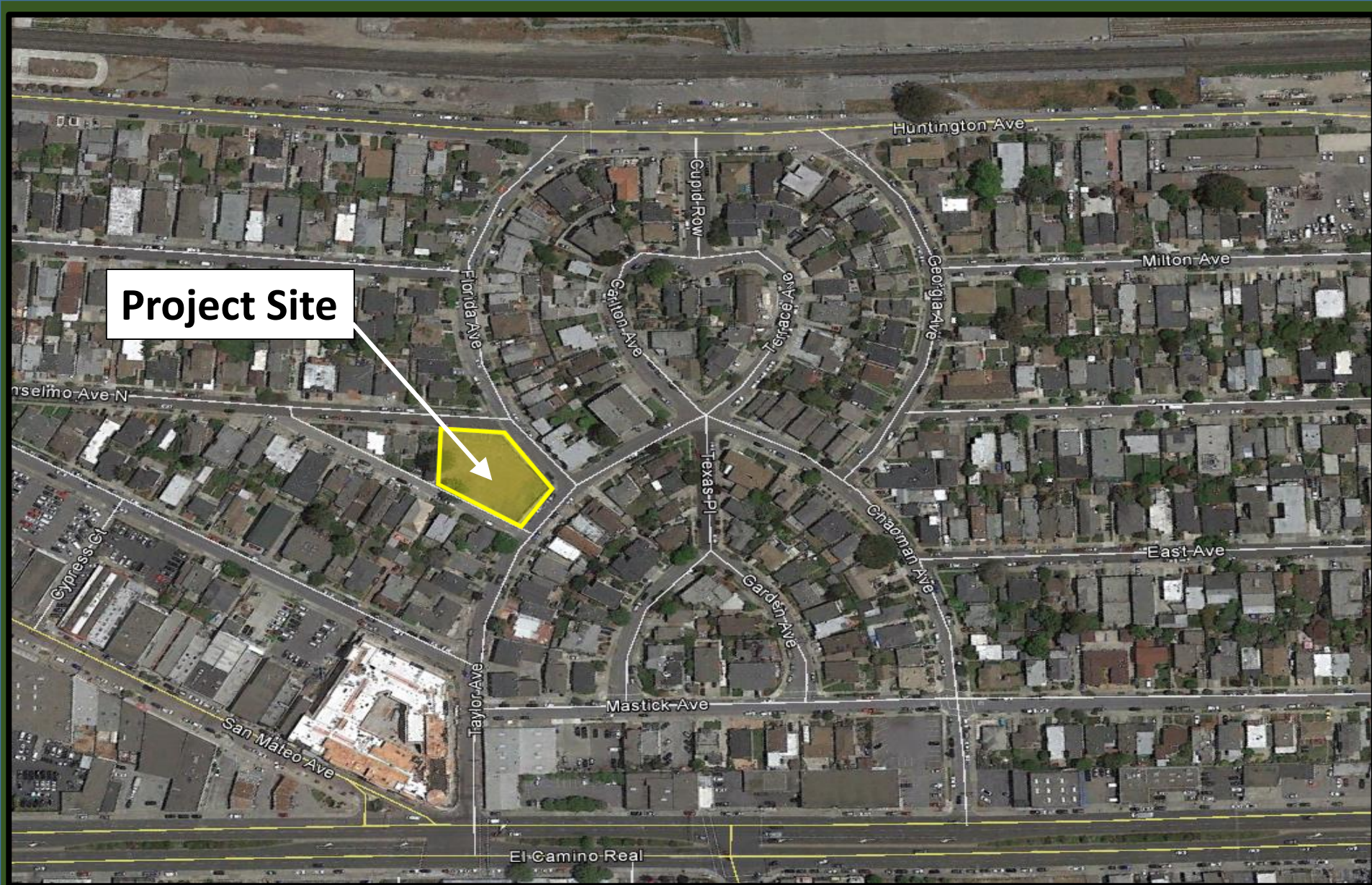


Presentation Objectives

- Provide an update with results of the heritage tree appeal process from November 2018
- Highlight key settlement terms reached by the City and the Appellants
- Discuss Modifications to the Florida Avenue Park Master Plan

Agenda

1. Background
2. Current Design
3. Heritage Tree Appeal Update
4. Key Settlement Terms
5. Recommended Modifications



Florida Avenue Park Project Site



Site Demolition and Remediation



Florida Avenue Park Master Plan City Council Approval October 20, 2016

Background

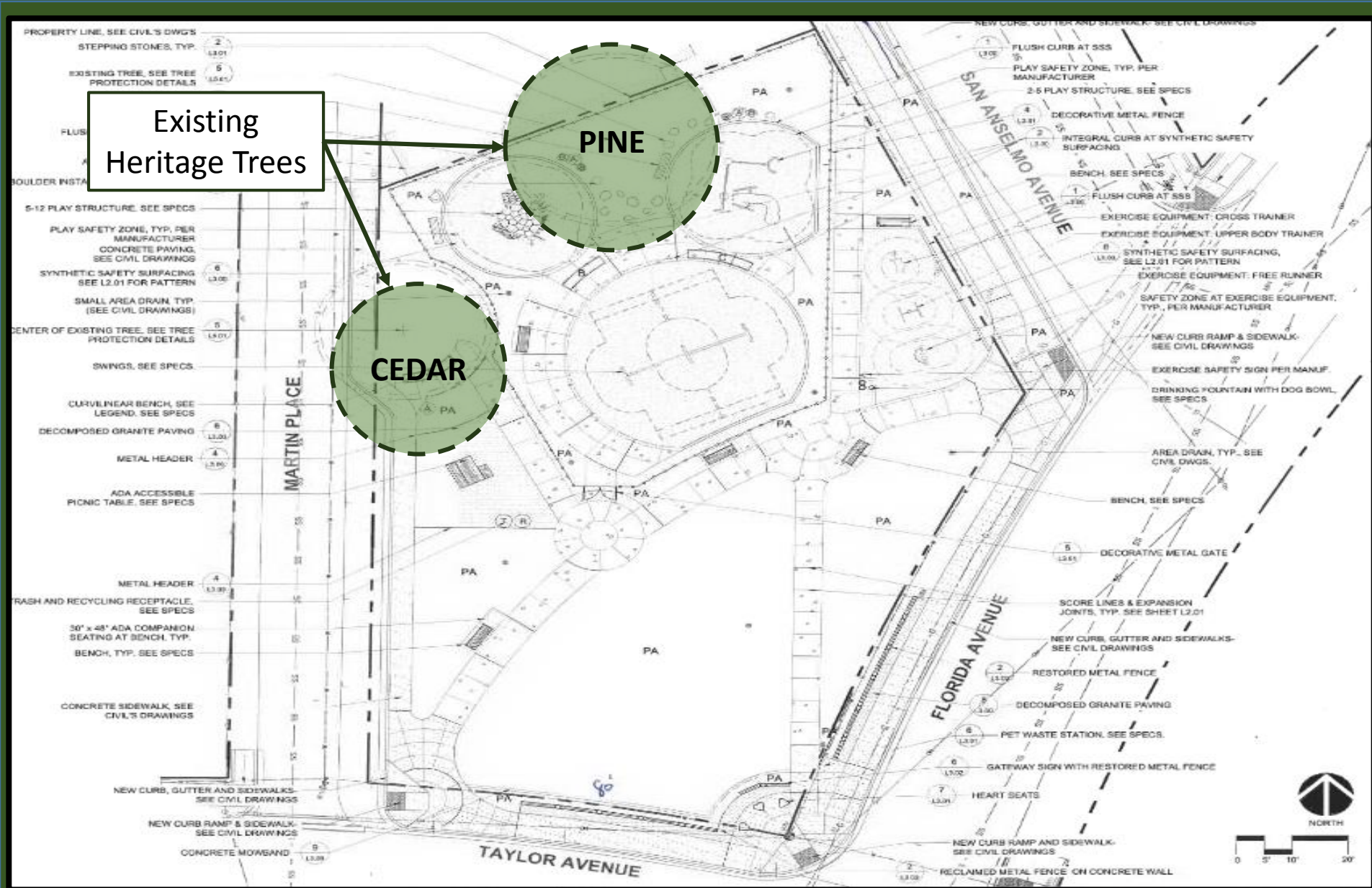
Heritage Trees at Park Site

Norfolk Island Pine



Deodar Cedar





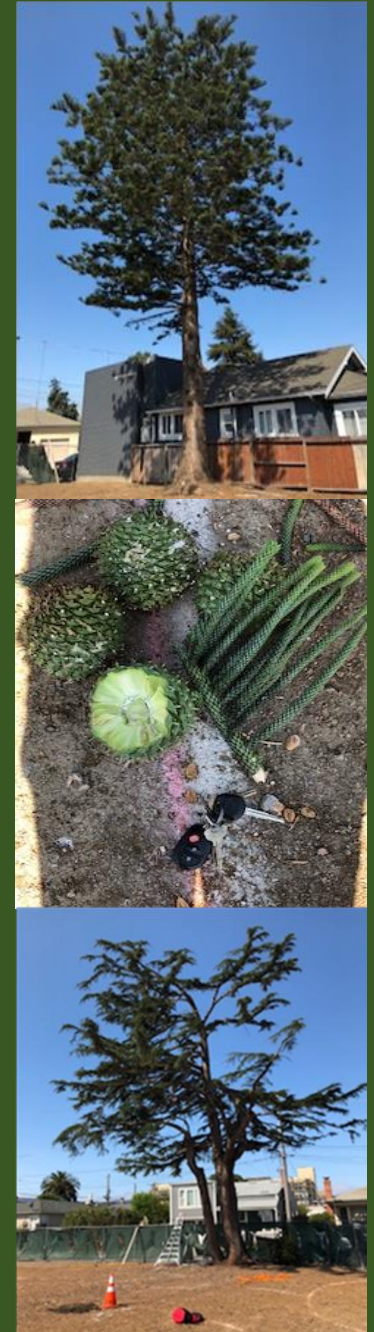
Current Design

Concerns Regarding Heritage Trees and Park Design

- Proximity to Children's Play Equipment
 - Hazard from falling seed pods (cones)
 - Play equipment maintenance issues related to honeydew excretions
- Enhanced Landscape Maintenance from Pine Needles
- Health of the trees would be impacted by construction of the park
 - Potential impact to tree root structures during construction

Arborist Findings and Recommendations

- **Deodar Cedar**
 - Disfiguration permanent
 - Root damage estimated at 10-15% from construction
- **Norfolk Island Pine**
 - Root damage estimated at 25-30% from construction
 - Tree at maturity point, producing many cones
 - observed 100+ on tree
 - Cones are grapefruit size and weigh about 2 to 3 pounds
 - Cones fall near the top of the tree (about 50 to 80 feet)
 - Falling cone could cause serious harm or death
- **Arborists Recommendations**
 - Cedar is permanently disfigured / does not present a hazard
 - Pine presents a safety hazard due to cones and maintenance challenges



Removal of a Heritage Tree

San Bruno Municipal Code Heritage Tree Removal...

- Requires City Removal Permit
 - Posted on September 20, 2018
- Replanting Requirements for Each Tree Removed, Either...
 - Two twenty-four inch box trees, or
 - One thirty-six inch box tree
- Minimum 10-day Appeal Period
 - Appeal received on September 26, 2018
- Appeal Heard by City Council
 - November 13, 2018

Appeal of Heritage Tree Removal

- City Council Meeting – November 13, 2018
 - City Staff and Appellant made presentations
- A Motion was made and seconded to deny the appeal and uphold the staff's recommendation to remove both trees and passed on a 4-0 vote
- Following the City Council's denial, appellants threatened litigation based on alleged violations of the California Environmental Quality Act ('CEQA') if trees were removed
- In an attempt to avoid a potentially costly and lengthy delay, City staff met with the appellants to discuss the matter on December 19, 2018 and January 11, 2019

City Hosted Community Event

- On March 30, 2019 the City hosted a community event to gather feedback about the trees and proposed modifications to park master plan
- Residents were given feedback forms as well as stickers to place on their preferred poster board design



City Hosted Community Event

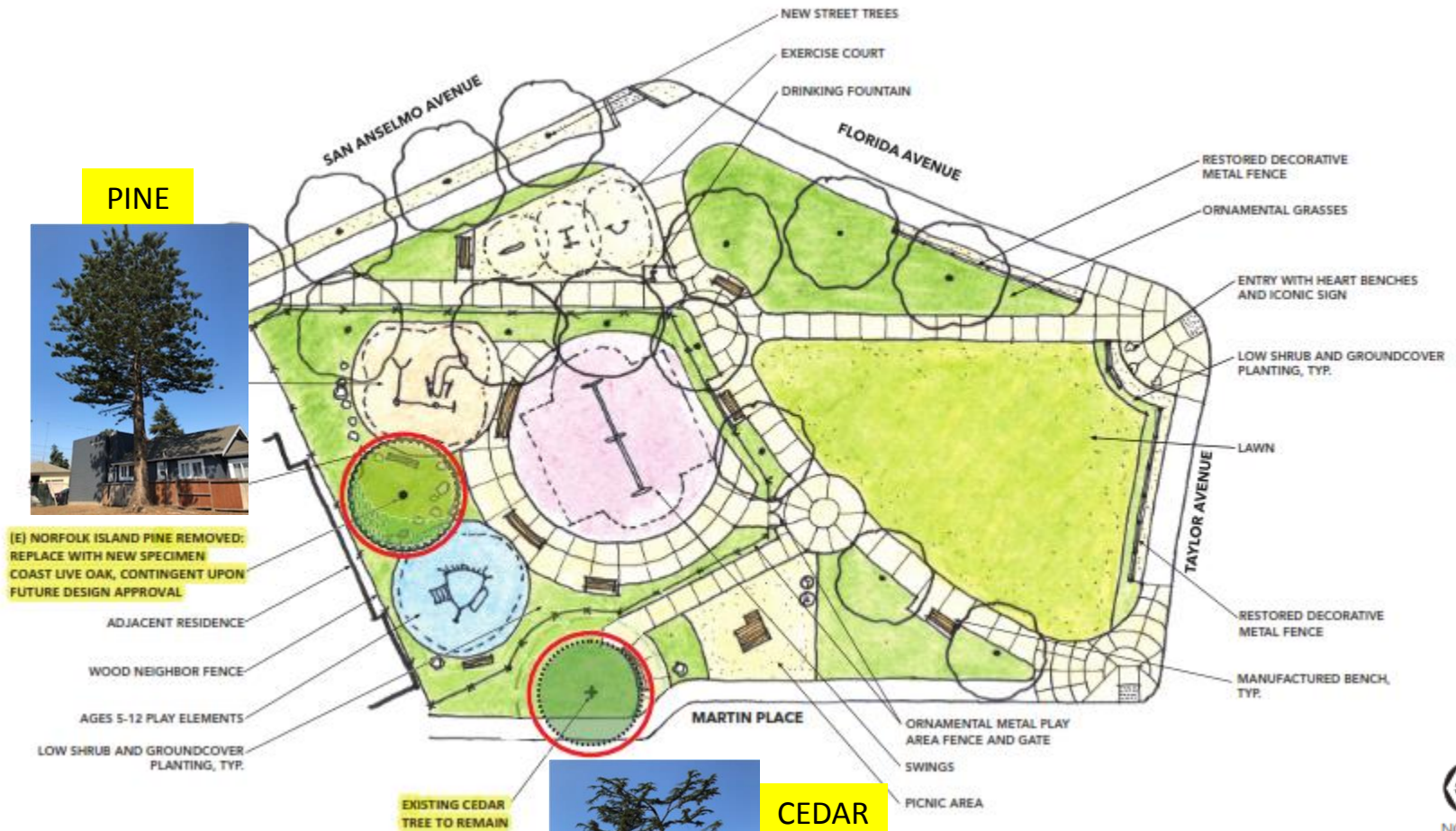
- Recommendation to remove the pine and plant a large majestic tree in its place
- May 2, 2019 City staff met with appellants to explore this option



Key Settlement Terms

- Remove pine and retain cedar
- Plant a mature coast live oak
 - Approximately 20-25' high and about 18' in breadth
 - Approximate cost \$20,000
 - City to consider a revised plan that includes the oak in place of the pine or in another suitable location within the park
- Pay appellants' attorney fees \$15,000
- Appellants have withdrawn the appeal and released the City from all related claims

Proposed Design



Preparation and Processing of Appeal

- Arborists Reports by Tree Management Experts and Kielty Arborist Services
 - Cost of Analysis: \$3,978
- Historical Resources Impact Analysis by Page & Turnbull
 - Report determined proposed project had no impacts on historical resources whether the park includes or does not include the heritage trees
 - Cost of Analysis: \$5,000
- Biological Study by WRA
 - Report documented the habitat conditions and the very limited potential for special-status species to be present at the site
 - Cost of Study: \$11,000

Preparation, Processing, and Settlement Cost Analysis

Arborists Reports	\$ 3,978
Page & Turnbull Historical Analysis	\$ 5,000
WRA Biological Study	\$11,000
Appellants' Attorney	\$15,000
Mature Tree Replacement (Coast Live Oak)	\$20,000
City Outside Counsel	<u>\$21,000</u>
Total:	\$75,978

Proposed Action

- To review the revised modifications to the conceptual design of Florida Avenue Park Master Plan and approve it by motion
 - Revised design retains all previously approved features
 - Removes the pine and replaces it with a mature coast live oak
 - Modifications to the Park Master Plan is in compliance with CEQA (California Environmental Quality Act)

Next Steps

- If City Council approves the revised conceptual design,
 - The City will prepare detailed drawings consistent with approved design suitable for bidding
 - Drawings will be presented to City Council for approval by resolution at a later date
 - Anticipated date for completed drawings would be the first quarter of 2020, with a formal construction bid process to occur thereafter
 - Park construction could begin as early as mid-2020

Recommendation

Authorize Modifications to the Florida Avenue Park Master Plan as proposed by staff

- Staff will return to City Council for approval of the finalized Park Master Plan with final design drawings and cost estimates which are projected to take two to three months

